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THE MARTIN INSTITUTE: PRINTS



The Martin Institute: Prints is a peer-reviewed undergraduate journal that aims to support and promote the scholarship of Stonehill students in the fields of sociology and criminology.

Featured:

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This paper examines the treatment of sex trafficking victims in the United States

39

Professor Dolgon shares his thoughts on sociology, service, and his experience here at Stonehill College

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*Many thanks go to our Faculty Advisor, Assistant Professor of Criminology Katie Currul-Dykeman

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The Face of the Current Opioid Crisis: Changing Perceptions

By: Lauren White

Introduction

Each day we are hearing more and more about the current opioid drug epidemic sweeping our country. This epidemic has claimed many lives, and has consumed families all across the nation. Today, we hear about the need to remove social stigma surrounding substance use to aid in the fight against the epidemic. This is not the first drug epidemic to sweep the nation, nor is it even the first heroin epidemic to knock on the door of this country, so why are we now calling the country to action? Among the call to end the stigma, we are seeing a change in the volume and diversity of resources available to the public, as well as harm reduction methods such as Narcan. By examining where these calls to action are originating from, where resources are allocated to, and who the affected population is, we can begin to conclude what makes this epidemic different from others, and why we are calling for change today. As evident from the research collected, there is a strong connection to the affected population - young, white, middle class America - and the call to action and increase in available resources. The terminology alone, substance use *disorder*, is changing how society perceives the issue. This is the epidemic in which everyone seems to be able to say, "this is how it is affecting my community," instead of, "That never happens here." Society's values and perceptions are changing and we are seeing how those changes are being reflected back on each and every community. Throughout this paper, the literature will illustrate the societal change being experienced in the face of today's opioid epidemic.

Literature Review

Socio-demographic and Description of Opioid Users

In January 1994 through the month of April 1994, a study was conducted by David Boyum and Ann Marie Rocheleau of 150 current heroin users across three major United States cities. Each of the cities included in the study were the leading American cities with heroin use among arrested males. The study found that most of the users initiated use in 1968, 1969, and 1970 - approximately 25 years after the last heroin epidemic (p. 18).

Twenty-nine percent of the individuals claimed public assistance as their highest form of income, stating that approximately 50% of their income each month is generated legally and the other 50% illegally (Boyum & Rocheleau, 1994, pp. 14-15). With the illegal income, 78% of the users had at least one criminal conviction, and of those with a criminal conviction 31% had a property conviction (p. 23).

With a median age of 39 and the majority of participants being male, Boyum and Rocheleau (1994) found that consumption levels were extremely high in comparison to historical standards. While race overall was broken down evenly between non-Hispanic Whites, African-Americans, and Hispanics, city-by-city the racial breakdown was not as even. In New York 8 of the users were white, 18 were black, 21 were Hispanic, and 3 were other. In Chicago 10 were White, 28 were Black, 11 were Hispanic, and 1 was other. In San Diego 30 were White, none were Black, 17 were Hispanic, and 3 were "other" (Boyum & Rocheleau, 1994, p. 13).

The study conducted across New York, Chicago, and San Diego mentioned that in New York only 7 out of the 50 participants had children living with them despite the fact that 80% of the total participants had children (p. 13). This result can be compared to Chicago having 16 out of 50 and San Diego having 26 out of 50 with children living with them. The authors suggest that this fact might lend New York users to be more socially dysfunctional than the other users. New York users also fell behind in the statistics concerning rent. Only 48% of the users in New York participating in the study pay rent, while 80% pay rent in Chicago and 70% pay rent in San Diego (Boyum & Rocheleau, 1994, p. 14). All of these listed factors add to the question of social dysfunction of users in New York. When looking at heroin users in 1994 39% had a high school diploma, 24% had a GED and only 2% had a college degree (p. 14).

In 2007, approximately 27,000 unintentional overdoses took place, nearly 1 every 19 minutes (CDC, 2012, p. 10). The prescription drug problem is the fastest growing drug problem in the United States. More overdoses since 2003 have involved opioid analgesics than heroin and cocaine combined. Use is highest among non-Hispanic White men, aged 20-64, in poor rural areas. It is also common for heroin users to be poly drug users (Boyum & Rocheleau, 1994, 25). Sixty-one percent of users stated that they prefer to take heroin in combination with other drugs; forty-three percent prefer to take heroin in combination with cocaine, or "speedballing" (p. 25).

Media Representation

Media often is the driving and shaping force behind many societal changes. In 2009, Chitwood and Rosenbaum wrote, "When the public characterization of drug use as an epidemic represents more than its epidemiological meaning of 'unusually elevated occurrence,' panic is often substituted for reasoned action" (p. 30). The media has had the ability to shape the way the public recalls periods of time. By attaching the word 'epidemic' to a specific drug, it has the power to permanently link that drug to a specific decade. The LSD of the late 1970s, crack cocaine of the 80s, and MDMA of the 90s are just a few examples of popular drug to decade attachments.

The media generates fear rather than understanding. Persistent coverage of those fighting the epidemic at the center fuels unrealistic perceptions of the problem and of the people who are affected. Good intentions can lead to bad policies, such as the war on drugs that began in the

1970s into the 80s. The emergence of crack cocaine hit the media in a storm. It was labeled dangerous, thus a reactive policy was put in place and harsh mandatory minimum sentences were enforced. The crack versus powder cocaine sentencing guidelines were at a ratio of 100:1, meaning if an individual got caught with 5 grams of crack they would receive a mandatory minimum of 5 years, but it would take 500 grams of powder to trigger the same sentence (Chitwood & Rosenbaum, 2009). Despite later claims of the disproportionate effect on women and the racial bias presented, the sensationalized inner city violence portrayed in the media kept the policy intact.

There are no criteria for what defines an epidemic, yet the fallout from the attachment of the epidemiological term to a specific drug has consequences that spans decades. At times, "drug scares" just serve to reinforce gender, race, and class intolerance (Chitwood & Rosenbaum, 2009).

Prevalence of Resources

Until recently, the prevalence of resources has been scarce in addressing substance use. This lack of resources changed in 2011, when the White House issued a strategy to target service members and their families, college students, women and children, as well as individuals in the criminal justice system (CDC, 2012). To attack this problem prescriber education became mandatory, and in Washington State interagency opioid dosing guidelines were created. A yellow flag was described as anyone prescribed 120mg a day or higher of morphine or any equivalent. In 2010, National Prescription Take back events were held in over 5,000 cities across the country and took back 309 tons of prescription medication that was no longer needed.

Small (2016) studied 926 18-year-old drug users who possessed one or more co-morbidity or vulnerability factors. Small found that stigma is the biggest barrier to treatment utilization. Coupled with a negative first experience, this stigma can severely alter an individual's treatment utilization. There are 22.5 million individuals aged 12 and up who are in need of substance abuse treatment, and 20.2 million who need substance abuse treatment but do not receive necessary care (Small, 2016). There are economic barriers, supply availability barriers, and situational barriers that all prevent individuals in need from receiving proper services. Compounding vulnerability factors such as homelessness, mental health issues, victim of a violent crime, HIV/AIDS positive, and receiving public assistance, increase the likelihood the individual will not receive or utilize treatment. Members of these vulnerable populations have less access to all types of healthcare services than the rest of the population. An individual has an increased chance of receiving treatment if they are non-Hispanic White, with an income greater than \$5,000.00, and have a regular source of care, such as a primary care contact (Small, 2016). The likelihood of receiving treatment also increased if the individual is an intravenous drug user, versus any other type of ingestion (Boyum & Rocheleau, 1994, p. 19).

In the study conducted by Boyum and Rocheleau, 85% of the individuals had received treatment at one point or another (1994, p. 19). The median number of times enrolled in treatment was five. The authors found that, on average, long-term users entered treatment once every four years, approximately. Eighty-one percent of users had gone through detox at least once (p. 19). The statistics listed previous illustrate the sporadic and unpredictable nature of treatment utilization among users.

Naloxone Availability

Overdoses now exceed car accidents as the number one preventable cause of death in the United States (Wermeling, 2015). Naloxone (known as “Narcan”) is a method to combat an opioid overdose by blocking the receptors in the brain that are absorbing the opioids. This is one of the “harm reduction” strategies many have suggested. While medical care is still necessary after administering the opioid antidote, it can save a person’s life.

The gender breakdown of administration of Narcan in Ohio shows males as 58% of the administrations, compared to females at 42% in 2012 (Massatti, 2013, p. 7). People aged 25-34 and 45-54 were the most likely to be administered the drug from 2003-2012. The administration in 25-34 year-olds went up from 19% in 2003 to 25% in 2012 (Massatti, 2013, p. 7). Every age group noted some Naloxone administration rate increase from 2003-2012. Most notably, rates increased 197% for those aged 20-24, and 139% those aged 35-44 (Massatti, 2013, p. 9). Males aged 20-24 and 25-34 had one and a half times more administrations of Naloxone than females (Massatti, 2013, p. 9). From 2003 to 2012, males aged 25-34 had the highest rate of Naloxone administration. Females experienced the highest rates of Naloxone administration at ages 35-44. It is important to note that female administration rates of Naloxone for age groups 25-34 and 45-54 were not far behind in the number of administrations as compared to ages 35-44 (Massatti, 2013, p. 9).

It was found that in Ohio from 2003-2012, 87% of the Naloxone administrations went to Whites, while only 12% went to African-Americans, and the remaining 1% went to other racial groups (Massatti, 2013, p. 11). Massatti found that the number of Naloxone administrations overall increased 164% from 2003 to 2012 (2013, p. 11).

Widespread Naloxone availability and use is controversial though there is minimal evidence that it is harmful or has any other effects besides counteracting opioids. Most of these hesitations come from the mode of delivery: an intravenous drip or injection. Newer modes of delivery include auto injectors (similar to an EpiPen) and a nasal spray. Changing the mode of delivery makes use and administration much more feasible to the general public.

While it seems that Naloxone should be prescribed to users, they will be unable to administer the treatment if necessary, and would need to rely on a good Samaritan. There also needs to be laws in place that protect good Samaritans as they are attempting to save the individual’s life. For this harm reduction strategy, public awareness is key. Similar to AED’s in public areas and the use of EpiPens for someone with a severe allergic reaction, Narcan use and training by the general public can have a huge impact on the number of preventable deaths. Individuals need to know the signs of an overdose, how and where to inject the medication, and things to be prepared for during and after Narcan administration, such as thrashing, resistance, and anger (Wermeling, 2015).

Naloxone was used 154,000 times by emergency personnel in 2014 (Massatti, 2016). Naloxone will continue to save lives, especially given the patterns of the current epidemic. The availability of Naloxone to the public is necessary because (1) EMS does not always have it or is not allow to administer it, (2) an ambulance is often not called due to fear of arrest, and (3) response time in rural areas where opioid use is common can be slow (Wermeling, 2015).

In the American Medical Journal, Richard R. Massatti identifies several misinterpretations and false assumptions about a study conducted in connection to the use of Naloxone. The first inaccurate assumption is that an increased access to the opioid reversing treatment, Narcan, would lead to an increase in opioid use (Massatti, 2016). The evidence shows that the location of the already occurring drug use might change due to the availability of the overdose reversal medication, but the quantity of use or incidents of overdose will not change (Massatti, 2016). It was also incorrectly concluded that the availability of Naloxone has not reduced the quantity of illicit drug use. Naloxone's purpose is not to deter illicit drug use, but to reverse an overdose, thus avoiding preventable death. As Massatti (2016, p. 3) stated, "dying is not a good way to recover."

Conclusion

The prevalence of resources, new media perception, and increased Naloxone availability, as well as the overall beginnings of eradication of stigma surrounding substance use disorder, is a positive and progressive move for society as a whole. That being said, this study highlights the correlation between those positive moves for the population affected by substance use disorder and the description and sociodemographic factors of those affected. Showing a positive correlation between the shift in stigma and the change in the sociodemographic factors of users (encompassing race, age, and economic standing). Moving forward, it is important to recognize that while white, middle class Americans are the ones predominately affected by this particular opioid epidemic, they are not the only population that struggles with substance use disorders in connection with other substances. This has implications on overall drug laws and policies moving forward.

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Prisons or New Asylums? An Analysis of Mental Illness in the Correctional Setting

By: Lexi Taylor

Introduction

Individuals with severe mental illness form a disproportionately large percentage of the United States criminal justice system. According to a 2006 report issued by the U.S Bureau of Statistics, mental illness affects at least 15-24% of prison inmates with more than 700,000 inmates' worldwide reporting symptoms of mental illness or a serious mental health disorder in 2006 (James & Glaze, 2007, p.1). Another study found that in 44 states only 35,000 individuals who reported symptoms of mental illness are admitted to public psychiatric hospitals (Torrey, Zdanowicz, Kennard, Lamb, Eslinger, Biasotti, & Fuller, 2014, p.5). The significant number of individuals living in corrections with a serious mental illness illustrates the crucial need for adequate mental health treatment offered through the criminal justice system. Reflecting on this issue, the present paper examines historically how prisons became home to mentally ill individuals and offers insight into the types of mental illnesses present, the types of treatments offered or lacking in corrections, and the effectiveness of this treatment within the correctional setting.

Defining Severe Mental Illness

According to the American Psychological Association (APA) and the Diagnostic and Statistical Manual for Mental Disorders, Fifth Edition (DSM-V), severe mental illness can be defined as a syndrome characterized by clinically significant disturbance in an individual's cognition, emotion regulation, or behavior. This disturbance reflects a dysfunction in the psychological, biological, or developmental processes underlying mental functioning (American Psychological Association, 2013). Mental disorders are usually associated with significant distress or disability in social, occupational, or other important activities. Significant distress does not include standard responses to common stressors (trauma, loss of a loved one, etc.) or acts of deviance unless the deviant act is



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symptomatic of the individual's mental dysfunction (American Psychological Association, 2013). Individuals diagnosed with major depressive disorder (depression), schizophrenia, schizoaffective disorder, severe anxiety, or bi-polar disorder would be considered to be suffering from a severe mental illness. The majority of the literature examined within the present paper utilizes this APA definition when referring to inmates with "severe mental illness."

History of Mental Illness in Corrections

Prisons were never designed as facilities for the mentally ill; however, that is one of their primary roles today. Many individuals are forced into the criminal justice system because they cannot acquire mental health treatment in the community due to the privatization of mental health services, "The War on Drugs," and sentencing guidelines (Daniel, 2007; James & Glaze, 2007; Kliever, McNally, & Trippany, 2009; Kupers, 2015; Kim, Becker-Cohen, & Serakos, 2015).

De-institutionalization

A large body of research suggests that the privatization of mental health services heavily contributes to the excessive numbers of individuals imprisoned who are suffering from mental illness. According to Kupers (2015), and Daniel (2007), before privatization, individuals were isolated in facilities away from the community as a result of a stigma placed on mental illness by the public that those affected could only be helped in an isolated setting (Kupers, 2015). In addition, a lack of resources present in the community kept mentally ill individuals isolated in facilities (Kupers, 2015). In the 1960's, institutions were deemed unfit for the rehabilitation and treatment of mentally ill individuals, ultimately leading to the de-institutionalizing of patients. De-institutionalization involved the downsizing and closing of state mental hospitals with the expectation that former patients would receive quality mental health care in the community (Kupers, 2015). However, in 1963, President Kennedy implemented the Community Mental Health Centers Act, which caused budget cuts and inflated health care costs for treatment. This forced former patients onto the streets, leaving many individuals homeless, and victimized due to the increased health care costs. Noted in a meta-analysis piloted by Daniel (2007) and cited by Kliever, McNally, and Trippany, (2009), individuals living with a severe mental illness were victims of violent crime at a rate 11 times higher than that of the general population. Additionally, they found a statistically significant correlation between deinstitutionalization and homelessness, and a more pronounced correlation between homelessness and criminal activity, as well as homelessness and crime (Kliever, McNally, & Trippany, 2009). Thus, deinstitutionalization was vastly inadequate for the task of providing public mental health services, leading to an increase in mentally ill individuals entering prisons.

The "War on Drugs"

Amplifying the aftermath of de-institutionalization was the "War on Drugs," which mandated long sentences for drug or alcohol related offenses, even those involving first-time offenders (Kupers, 2015). According to a study conducted by the United States Bureau of Statistics (James & Glaze, 2007), nearly 76% of jail inmates who had been diagnosed with a severe mental illness also met criteria for substance abuse. Furthermore, this study found that 89.9% of jail inmates with a mental health problem were also more likely to have been a regular substance user prior to incarceration, 81.6%

were said to have used drugs or alcohol in the month prior to their current offense, and 53.8% were found to have been under the influence of drugs or alcohol at the time of their offense (James & Glaze, 2007 p.2). The same Bureau of Justice Statistics study also reported that inmates suffering from severe mental illnesses were more likely to be serving longer sentences (James & Glaze, 2007). Since dual diagnoses between drug/substance use and severe mental illness are extremely prevalent, the "War on Drugs" has been a huge influence in pushing mentally ill individuals into the criminal justice system.

Sentencing Guidelines

Sentencing guidelines used to determine if a patient is Not Guilty by Reason of Insanity (NGRI) also contribute to the successive numbers of individuals with mental illness living in prisons. An individual can be found NGRI in federal and state law, meaning that they have been found to be legally insane at the time of the offense (Janofsky, Dunn, Roskes, Briskin & Rudolph, 1996 p. 5). In states that allow the insanity defense, defendants must prove to the court that they did not understand what they were doing, failed to know right from wrong, acted on an uncontrollable impulse or a combination of these factors (Janofsky et al., 1996). If an individual is found NGRI, they will be court ordered to receive treatment at a state psychiatric hospital as an alternative to incarceration.

This defense functions as a tool that pushes mentally ill individuals into the criminal justice system due to the inconsistent sentencing guidelines from state to state. One study piloted by Kim, Becker-Cohen, and Serakos (2015) examined the inconsistencies in the insanity defense by state. Through a thorough examination of each state's insanity defense using LexisNexis and Westlaw to conduct a state-by-state scan of practice, they found that many states used different language to define "mental illness" within their statutes. For example, Washington D.C. defines mental illness as "a psychosis or other disease which substantially impairs the mental health of a person." On the other hand, Michigan defines mental illness as "a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life" (DC Code Ann. § 21- 50; MCLS § 330.14004; Kim et al., 2015). This illustrates the inconsistency in thoroughness and subjectivity between each states definition, thus resulting in perhaps differences in sentencing.

Similarly, Kim et al. (2015) found that the protocol for determining the criminal responsibility of mentally ill defendants also varies from state to state. Using LexisNexis and Westlaw to conduct a state-by-state scan of practice, the authors found that different tests are used to determine criminal responsibility. For example, 25 states have adopted the use of the "M'Naghten Rule", which emphasizes that at the time of the offense the defendant was unable to distinguish right from wrong. Twenty-one other states adopt the Model Penal Code Rule, emphasizing their inability to appreciate the illicit nature or abide by the law. Idaho, Kansas, Montana and Utah do not utilize either protocol because consequently they do not allow the insanity defense to be used at all (Kim et al., 2015).

Furthering Kim, et al.'s (2015) research, Janofsky et al., (1996) also examined the inconsistencies within the insanity defense. These authors used circuit and district court databases to assess 60,432 indictments of defendants who claimed to be mentally ill. Out of the 60,432 cases, only 190 of the defendants plead insanity. Of the 190, only eight defendants were not found criminally responsible due to reason of insanity (Janofsky et al., 1996, p.4). In conclusion, the NGRI defense is used in only about 1% of cases in the U.S., and is successful less than 25% of the time (Janofsky et al., 1996; Kim et al., 2015). The mentally ill individuals who are not found NGRI in court are therefore sent to the department of correction, leading to a surplus of mentally ill individuals present in the criminal justice system.

Population of Patients/Inmates

The majority of individuals incarcerated are suffering from severe mental illness (SMI). Using the APA definition of SMI, Kim, et al. (2015) as well as James and Glaze (2007) examined the prevalence of mental illness with the criminal justice system.

Kim et al. (2015) assessed the number of inmates in federal prison, state prison and local jail living with a severe mental illness and experiencing symptoms of a mental disorder. Using LexisNexis and Westlaw to conduct state-by-state scans of correctional populations as well as inmate interviews conducted by the U.S Bureau of Statistics (2007), they found 56% of state prisoners, 45 % of federal prisoners, and 64% of jail inmates had a mental illness at the time of their interviews (James & Glaze, 2007). More specifically, from this assessment they concluded that a substantial proportion of state and federal prisoners had also been diagnosed with mania symptoms, psychotic disorder, post-traumatic stress disorder, major depressive disorder, or a personality disorder (James & Glaze, 2007; Kim et al., 2015).

In contrast, however, Lurigio (2011) and Steadman, Osher, Clark Robbins, Case, and Samuels (2009) seemed to report lower prevalence rates. In the study piloted by Steadman et al. (2009), they found that in a sample of 822 prison inmates, about 46% of the population qualified as having a serious mental illness. Regarding all U.S jails, they estimated that about 50.4% of jail inmates in 2007 were considered to be seriously mentally ill (Steadman et al., 2009). Similarly, Lurigio noted a study that sampled 508 newly incarcerated men and women in five Connecticut prisons. They found that the majority, nearly 70%, met criteria for at least one lifetime psychiatric disorder and that certain diagnoses were particularly elevated in correctional settings. These included schizophrenia and psychotic disorders, bipolar disorder and post-traumatic stress disorder (Lurigio, 2011).

One notable discrepancy regarding James and Glaze (2007), Kim et al. (2015), Lurigio (2011) and Steadman et al. (2009) is that each study produced a different percentage of mental illness within the criminal justice system. This could be due to each study using different definitions of "severe mental illness", or because many of the studies do not include information regarding whether offenders had more than one psychiatric diagnosis. Additionally, some studies were conducted in different states, where different sentencing guidelines could exist.

Types of Treatment in Corrections

With such an extreme number of individuals with mental illness living in the criminal justice system, the need for treatment is imperative. A report drafted by Beck and Marushak (2001), as well as a study conducted by Manderscheid, Gravesande, and Golstrom (2000), assessed the types of treatments offered or lacking within state and federal jails and prisons. In 2001 Beck and Marushak used the 2000 Census of State and Federal Adult Correctional Facilities, an enumeration of all 84 Federal facilities, 1,320 State facilities, and 264 private facilities to assess treatments. The report indicated that nearly 70% of facilities housing State prison inmates reported that, as a matter of policy, they screen inmates at intake; 65% conduct psychiatric assessments; 51% provide 24-hour mental health care; 71% provide therapy/counseling by trained mental health professionals; 73% distribute psychotropic medications to their inmates; and 66% help released inmates obtain community mental health services (Beck & Marushak, 2001, p.3). However, within these facilities, they indicated that only about 10-20% of inmates have attended counseling, received medications or received 24-hour mental health care due to availability and staffing issues (Beck & Marushak, 2001, p.6). Manderscheid, Gravesande, and Golstrom (2000) found similar results in their study examining trends in the treatments used in state jails/prisons ranging from 1989-2000. Results from the Inventory of Mental Health Services in State Adult Correctional Facilities Survey were used to gather data, sampling over 757 state adult correctional facilities (Manderscheid, Gravesande, & Golstrom, 2000, p.4). The scholars found that 76.2% of facilities reported that they provided 24-hour mental health care, 89.3% provided counseling or therapy, and 82.3% monitored medication. Additionally, 84.8% of the facilities provided testing and assessment. Of the treatments that were available, less than one percent of the 505,712 inmates used 24-hour mental health care, 9.6% received counseling or therapy, 5% had their medication monitored and 4.2% received testing or assessment (Manderscheid, Gravesande, & Golstrom, 2000, p.4). This illustrates that of the treatment that is available to inmates, only a small percentage of them actually receive treatment.

Challenges of Treating Mental Illness in The Correctional Setting

The results of previous studies raise concerns about the effectiveness of the mental health services provided within the correctional setting. The research suggests that perhaps the increased prison population is too vast for the mental health services available, and because of this that treatment might be inadequate. The meta-analysis piloted by Kupers (2015) noted that because of budget cuts and a resulting excessive caseload for clinicians, inmates are seen sporadically and shifted from one clinician to another each time the patient wants to be seen (Kupers, 2015). For example, when UMass Medical School contracted with the Massachusetts Department of Corrections, just fewer than ten full-time psychiatrists provided care to more than 10,000 inmates and 300 patients at Bridgewater State Hospital (Applebaum, Manning, & Noonan, 2002). This depicts that there is no time to establish an adequate therapeutic relationship between patient and clinician and that those who provide psychiatric care are overworked. In Department of Mental Health facilities, or state hospitals, one clinician per caseload is standard, and patient-clinician rapport is important in order to enhance treatment outcomes. Patients tend to be more compliant with treatment if the relationship between client and clinician is strong (Kupers, 2015). Similarly, through conducting a state-by-state scan of practice using LexisNexis and Westlaw, Kim et al., (2015) found that Winn Correctional

Center in Louisiana has announced that they plan to stop contracting with private companies, causing a decrease in medical staff and rehabilitative programs. They also indicated that Louisiana Department of Corrections can only pay private prisons about \$25 per inmate per day, down from \$35 (Kim et al., 2015 p. 28). This illustrates how budget costs influence the treatment of mentally ill offenders within the department of corrections.

Research also illustrates that prison conditions such as confinement, segregation and overcrowding might even exacerbate mental illness. Due to lack of or inadequate rehabilitation programs resulting from decreased staffing and budget cuts, the likelihood of the decompensation of mentally ill inmates is extremely high. Because of vulnerability to other inmates, or inability to comply with regulations, mentally ill inmates are frequently sent to segregation or confinement where they are isolated from the rest of the prison population. Recent prison reports indicate that inmates with serious mental illness are more prone to unjustified segregation, or solitary confinement, and at any given time, 50% of all segregation units will be occupied by a mentally ill inmate (Gibbons & Katzenbach, 2006). According to Cornwell and Waite (2009), isolation in general has debilitating effects on physical and mental health. Thus, mentally ill inmates are more prone to self-mutilation, rage, violence, and suicide attempts (Cornwell & Waite, 2009; Gibbons & Katzenbach, 2006).

Similarly, the growing prison population causes correctional facilities to become overcrowded. Correctional institutions are now responsible for meeting the health care needs of approximately 2.3 million US inmates (Kim et al., 2015). As a result, correctional facilities often struggle to adequately address each patient's special mental health needs. Overcrowded prisons can also produce worsened health outcomes, decreased psychological well-being and increased risk of suicide, especially for inmates whose mental illness is characterized by anxiety (Lurigio, 2011; and Kim et al., 2015). Thus, the overpopulated prison system may exacerbate mental illness in patients, even if mental health treatment is available.

Conclusion

After thorough review of the literature it is clear that individuals with severe mental illness form a disproportionately large percentage of the United States criminal justice system (James & Glaze, 2007). Many scholars examine the types of treatments available to inmates in the prison system and assess treatment conditions that may exacerbate mental illness (Lurigio, 2011; Kim et al., 2015; James & Glaze, 2007; Kupers, 2015; Manderscheid, Gravesande, & Golstrom, 2000, etc.). The literature illustrates that overcrowding in prisons leads to a lack of adequate care for mentally ill inmates due to lack of funding and excessive caseloads for clinicians. Even if various treatments are offered, understaffing makes it difficult to enforce treatment throughout the prison population. Additionally, prison conditions such as confinement and segregation may exacerbate mental illness and debilitate inmate health outcomes. Reflecting on all of the challenges that correctional facilities face regarding the treatment of mentally ill inmates, it is clear that even under the best circumstances, some challenges will always remain. Due to the complex nature of severe psychological disorders, successful treatment often requires regular access to mental health care professionals and support services (Applebaum, Manning, & Noonan, 2002). However, correctional facilities prioritize safety,

often making it difficult to provide resources that mentally ill inmates need. The fundamental values of mental health treatment and corrections may always conflict, and so the challenges of treating mentally ill inmates may always persist.

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Human Sex Trafficking in the United States: Victims Treated as Offenders

By: Nicole Russo

Introduction

While slavery in its traditional conception has been abolished, the exploitation experienced by victims has been survived by its modern day equivalent: human trafficking. Human trafficking represents a larger threat than traditional slavery in terms of estimated scope and profit for traffickers, with an estimated 21 million victims globally and an annual profit of about 150 billion dollars (U.S. State Dept., 2016). Of those 21 million, approximately 4.5 million are victims of sex trafficking and 99 billion dollars of the profit is made in the commercial sex trade (U.S. State Dept., 2016). The need for estimation is a demonstration of the "dark figure", hidden nature of human sex trafficking with copious instances not reported and certain victims cast aside as prostitutes or illegal immigrants. Because of its hidden nature, one might assume that human sex trafficking must only be a problem experienced in "other", primarily developing, countries. In reality, the United States represents a source, transit, and destination country in the industry, with instances of human trafficking being recorded in each of the 50 states (UNICEF, 2016). Yet, while many are educated on the issue of slavery in their history classes, human trafficking as a subject is clouded by ignorance and misconceptions, including those involving the treatment of victims.

One might assume that a victim's suffering would end once they are able to escape or are freed from their exploitation. However, while victims of human sex trafficking have already experienced severe exploitation and harm at the hands of their traffickers, their victimization does not always end there. Even after escaping the conditions of involuntary servitude, some victims of human sex trafficking are re-victimized and treated as offenders as a result of the legal system in the United States. This study presents the existing academic scholarship on the treatment of victims of human sex trafficking in the United States. The study begins by defining

the terms “human trafficking” and “sex trafficking”. The literature then demonstrates how both domestic and foreign-born victims are treated as offenders. The paper concludes by offering ways to address the problem of re-victimization, including girls courts, uniform safe harbor laws, vacatur of victims’ criminal records, and reducing immigration restrictions. In doing so, the present study will ultimately provide answers to the following questions: Are victims of human sex trafficking in the United States labeled and treated as offenders? How so? How can this be addressed?

Literature Review

What is Human Trafficking?

According to the United Nations Office on Drugs and Crime, the three necessary elements of human trafficking are the act, the means, and the purpose (UNODC, 2016). The act involves one or more of the following aspects: recruitment, transport, transfer, harboring, and receipt of persons. The means must involve the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits. What distinguishes human trafficking from other potentially similar crimes is the primary purpose of exploitation. The exploitation may take the form of prostitution of others, sexual exploitation, forced labor, slavery or similar practices, removal of organs, or countless other examples (UNODC, 2016). The focus on exploitation addresses the common misconception that trafficking must involve some form of movement. While some victims are moved to different locations, it is the exploitation that characterizes human trafficking and distinguishes it from smuggling, in which the transport of a person is voluntary throughout the exchange.

Human Sex Trafficking

Among the several forms of human trafficking is sex trafficking. In 2000, the United States passed the Trafficking Victims Protection Act (TVPA) to establish federal legislation regarding human trafficking. According to TVPA, human sex trafficking is “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” (McGuire, 2016, p. 225). A commercial sex act is defined as any exchange in which sex is traded for something of value (McGuire, 2016). Under the TVPA, it is illegal to engage in commercial sex acts by force, fraud, or coercion. If the victim is under the age of eighteen, these conditions need not be present, as any commercial sex with a minor is illegal (Annitto, 2011). This provision is designed to both protect minors in accordance with statutory rape laws and the idea that they cannot consent to sex under a certain age regardless of the presence of coercion, fraud, or force.

“Protect the Victim”?

The three stated overarching aims of the Trafficking Victims Protection Act (2000) are prevention of human trafficking, protection of victims, and prosecution of traffickers. For the purposes of this study, the stated goal of protecting victims is most relevant. The TVPA, as a humanitarian form of legislation, makes it clear that protection of victims is supposed to be the top priority. Adelson (2009) writes that “the TVPA made it indisputable that victims who might otherwise have been in violation of U.S. law (through contravention of immigration law, or because of engagement in prostitution) were to be treated not as criminals, but instead as victims of crime” (p.

99). But is this stated federal aim implemented and achieved? Are all victims of human sex trafficking protected by the law? The literature suggests that some—both domestic and foreign born—are not.

Domestic-born victims. Domestic-born victims of human sex trafficking in the United States, particularly minors, are often criminalized along with their traffickers. This is a result of inconsistencies in legislation and disparities in victim identification in law enforcement training. While federal law under the TVPA aims to protect these minor victims, most state legislation criminalizes minors that are sexually exploited as prostitutes. Most states do not have minimum age requirement in their prostitution statutes, meaning that any individual can be charged with prostitution or solicitation regardless of their status as a minor (Adelson, 2009). State-level legislation is what is applied in most state and local level cases, rendering much of the good intentions of federal TVPA obsolete in day-to-day actions of law enforcement. Adelson (2009) highlights the result that “in almost all fifty states, a minor’s selling of him or herself for prostitution, is a criminal offense” (p. 97). Under the current contradictory set of federal and state laws on the issue, children are being punished along with their exploiters.

Foreign-born victims. Victims of human sex trafficking in the United States that have come from other countries—seen primarily as illegal immigrants—are also treated as offenders, as demonstrated by the lack of true protection by the TVPA. Due to the strict immigration regulations designed to promote border control in the U.S., foreign-born trafficking victims become even more vulnerable than their domestic-born counterparts. Traffickers take advantage of the fact that victims in the country illegally will be less likely to report their exploitation out of fear of deportation and other penalties (Aas, 2013). While the TVPA intended to combat this vulnerability through the implementation of T-nonimmigrant visas (T-visas), these protections are too narrow and difficult to obtain. T-visas, if granted, allow a human trafficking victim to stay in the United States if they agree to help the government investigate and prosecute their traffickers (George, 2012). This contingency demonstrates that while T-visas can assist victims, their ultimate motive is the successful prosecution of traffickers.

In order to obtain a T-visa, a victim must demonstrate that they would “suffer extreme hardship involving unusual and severe harm” if they were to return to their country of origin (George, 2012, p. 572). In order to receive immigration assistance, the victim must demonstrate themselves to be a “severe trafficking victim” and that they have a legitimate reason for their noncompliance with immigration laws. To determine whether or not a victim has experienced “severe” exploitation, the TVPA dichotomizes between victims that are brought into the sex industry through force, fraud, or coercion, and those who “voluntarily” enter the industry. Voluntary victims may have been aware that they were entering the sex industry, but not of the exploitive and harmful conditions they would be working in under their trafficker. Those who can prove that they were forced are considered “severe” victims, while “voluntary” victims receive no immigration assistance (George, 2012). The added pressure of needing to “prove” the severity of their trauma to validate their need for service only serves to discourage victims from coming forward rather than helping them.

Additionally, there are a limited number of T-visas authorized to be given each year. No matter how many qualifying victims in need of protection there are, the United States government

has capped the annual amount of T-visas at 5,000. This cap is extremely low given that estimates indicate that between 14,500 and 17,500 foreign nationals are trafficked into the United States each year (McGuire, 2016). The combination of the T-visa requirements to assist the prosecution, the burden on the victim to prove the severity of their exploitation, and the stagnant limited number available each year, culminates in legislation that puts too little focus on providing foreign born victims with services and protection.

Policy Recommendations

Solutions proposed in the literature to address the issue of re-victimization of sex trafficking victims include girls courts, safe harbor laws, vacatur of the criminal records of victims, reducing immigration restrictions, and expanding protections of the TVPA.

Girls courts. Girls courts are specialty courts—much like the well-established drug or family courts—aimed at better serving the needs and interests of sex trafficking victims than are provided in traditional, adversarial courts (McGuire, 2016). These courts are ultimately based on a foundation of helping victims get the services they need. Mir (2013) identifies the unique challenges of sex trafficking victims that girls courts help to address. Drug addiction is a prominent issue among victims, as drugs are often provided by their “pimps” and used as a method for coping with their situation. As a result of their extended exploitation, some victims also become loyal to their traffickers, bonding with them and subsequently minimizing their own suffering in their minds. Due to this pimp-loyalty, victims are often distrusting of law enforcement and medical personnel. Flight risk also becomes an issue, as some victims’ loyalty is strong enough that they will try to return to their trafficker. Trauma is an especially impactful challenge, as victims often experience physical and emotional abuse during their exploitation. In addition to this trauma, there may be trauma from the victim’s past, such as a dysfunctional home, that put them in a position to be a victim of trafficking. Victims are also often challenged with their own denial, not seeing themselves as victims at all (Mir, 2013).

What distinguishes specialty courts from traditional, adversarial courts is their team approach with a focus on rehabilitation and services, rather than a punitive search for retribution for crimes committed. Services provided by girls courts include rape and sexual trauma counseling, family counseling, substance-abuse treatment, vocational and educational services, and mental health treatment. Currently, there are very few active girls courts in the U.S., with one in Hawaii, four in California, three in Texas, two in Florida, and one in New York (McGuire, 2016). Given the need to address re-victimization, this study recommends that girls courts be implemented uniformly in each of the states in order to shift the predominant approach from punitive to rehabilitation and service for victims.

Safe harbor laws. Safe harbor laws are state-level victim-centered statutes that are designed to address the criminalization of prostituted minors, and instead treat them as victims of exploitation by providing them with the associated protections and treatment. The four general aims of safe harbor laws are: (1) decriminalizing prostitution for anyone under a specific age, (2) diverting minor victims from delinquency proceedings to supportive services, (3) providing specialized services for minor victims, and (4) reclassifying prostituted minors as victims and sexually-exploited children

(Mehlman-Orozco, 2015). As mentioned above, state-level statutes are critical for day-to-day enforcement of anti-trafficking, as the federal TVPA legislation is not typically applied to most cases at the state and local levels. There are currently 34 states in the U.S. with safe harbor laws (U.S. Dept. of State, 2016). While there is a clear issue with the lack of legislation in the other sixteen states, there are issues even among states that have enacted these laws. According to various non-governmental organizations (NGOs), most of these states have not effectively provided immunity for prostitution offenses for victims of sex trafficking who are consequently being criminalized for offenses committed as a direct result of their exploitation (U.S. Dept. of State, 2016). This lack of effectiveness is a direct result of the disparities that exist in funding, level of services provided, and implementation among those states that have enacted these laws (Mir, 2013). In the aim of uniformity and effectiveness, this study recommends that each of the fifty states enact safe harbor laws that are equal in their levels of services provided, relative funding, and level of implementation and enforcement by law enforcement personnel.

Vacatur of criminal record. According to the U.S. Department of State (2016), vacatur is the formal legal recognition of a defendant's "factual innocence", which results in essentially wiping their slate clean of the offense. The intended effect of vacatur is to not only "allow victims to correct past injustices, but also thereby help trafficking victims reclaim and rebuild their lives" (U.S. Dept. of State, 2016, p. 27). While Barnard (2014) concedes that such provisions, such as Section 440.10(1)(i) in New York, are important developments in the battle against the effects of human sex trafficking by potentially allowing a victim to escape further harm and stigmatization, the current provisions are flawed in that they are procedurally difficult to carry out.

In order to begin the process of vacatur, a victim must file a motion in the court system themselves. Whether due to a lack of knowledge concerning their rights or inadequate legal representation, many victims do not seek vacatur for this reason (Barnard, 2014). Another procedural hindrance is the due-diligence requirement, which requires that the victim file their motion in a "timely fashion". While this kind of provision is appropriate to maintain integrity in vacatur motions that involve the discovery of new evidence and a defendant's claim that they did not commit an offense, sex trafficking vacaturs involve a different kind of argument. These victims are not trying to prove they did not commit the crime, but rather that they are not criminally responsible for their conduct, given the conditions of exploitation under which it was committed (Meiers, 2015). The hindrance created by such administrative elements of the legislation is demonstrated by the paltry number of victims that have been granted vacatur since the legislation's enactment in August 2010. As of March 2014, only 38 victims of sex trafficking have received vacatur relief in New York (Barnard, 2014).

In the absence of vacatur laws, trafficking victims are condemned to being perpetually viewed as former criminals, ultimately prohibiting them from rebuilding their lives and being free of victimization. Thus, this study recommends the enactment of vacatur legislation in all fifty states. However, reducing procedural requirements—such as eliminating the due-diligence requirement—is necessary in order to address the unique situation of sex trafficking victims. Whether or not this motion is filed in a "timely fashion" has little to no impact. Reducing the requirements could allow for more victims to take advantage of the opportunity to have their criminal record expunged rather than be painted as criminals for their offenses. A flaw that this study recognizes with relying on

vacatur, however, is the fact that it does nothing to prevent victims from being charged with offenses and treated as criminals in the first place.

Reducing immigration restrictions and penalties. The legal tools used by nations to control migration across their borders exacerbates the vulnerability of those already marginalized by putting them in an asymmetrical situation with their trafficker. With the restrictions on immigration becoming more stringent, those crossing borders are more likely to be doing it in violation of those laws, putting themselves at risk for the increasingly harsh penalties attached to border violations (Aas, 2013). Traffickers, driven solely by profit, are well aware of this risk and take advantage of the fact that victims may refrain from disclosing their exploitation in fear of being subjected to those penalties. Anti-trafficking policies must not begin with an effort to control borders, but to the deeper, underlying problem of the marginalization that creates an environment conducive and group of people vulnerable to exploitation in the first place (Chacon, 2010). Victims that are taken into the United States by their traffickers and are in the country illegally did not come willingly. Inherent in trafficking is the use of fraud, coercion, or force on the part of the trafficker to exploit their victims. There are even cases in which trafficking victims have legal documentation, but it is confiscated by their traffickers as leverage to keep them vulnerable and less likely to report their exploitation out of fear of deportation (Haynes, 2004). As a result, this study recommends that the restrictions on immigration and penalties for violations be reduced for those who are victims of human sex trafficking.

Conclusion

The presented literature unanimously posits that victims of sex trafficking should be treated as just that: victims. The existing literature on the treatment of human sex trafficking victims in the U.S. demonstrates that the current legal system fails to protect all victims, wrongfully identifying and treating many as offenders themselves. As a result of the varying legislation between the states and federal law and implementation of law enforcement, some domestic-born victims are criminalized as prostitutes and treated as such. Foreign-born victims without U.S. citizenship are often categorized as illegal immigrants rather than purely victims, with the scarce protections designed to help them having stringent requirements to prove their "severe" exploitation. As a result, criminalized victims fail to receive the services and protection they both need and deserve in order to rebuild their lives in the aftermath of their exploitation. In terms of how to address this problem of re-victimization, the literature provided multiple solutions. Specialty girls courts should be created in every state to provide victims with the services and rehabilitation they need that cannot be found in the traditional court system. While some states have enacted victim-centered safe harbor laws, these laws should be enacted and implemented uniformly throughout the country in order to maximize their effect. The criminal records of victims of sex trafficking should be vacated of offenses committed as a direct result of their exploitation, with fewer procedural requirements to file such a motion. Finally, immigration restrictions and penalties should be reduced for victims of human sex trafficking in order to prevent the further marginalization of an already vulnerable population fearing deportation if they disclose their exploitation.

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One-Way Ticket to Paradise: How Corporations Avoid Paying Taxes

By: Justin Davis

Introduction

Multinational corporations (MNCs) play a major role in the modern international economy. They are responsible for billions of dollars of revenue every single year, pay vast amounts back into the community, and keep many states financially functioning through their corporate taxes. However, MNCs often have enough of a financial incentive to find creative ways to avoid paying their full share of taxes. There are numerous ways they have accomplished tax evasion throughout history, but they have many more opportunities as a result of economic globalization.

Different states can have vastly different tax codes, and MNCs have found ways to exploit those asymmetries and pay less in taxes by paying in a different jurisdiction. Jeffers (2014) explains, "general reductions in worldwide barriers to trade, commerce, and investment have made tax-motivated migration not only more feasible but also increasingly government facilitated" (p. 100). States see a benefit to their economy by setting lower corporate tax rates than other states, attracting MNCs to move there and inject millions of tax dollars into their economies. Dickinson (2014) reveals that "using clever accounting games, these corporations have siphoned majestic sums out of [the United States] and into tax-haven shell companies – where the money is untouchable by the IRS" (p. 2). The use of offshore shell companies is a serious issue: "the International Monetary Fund estimates that assets held in tax havens equal about 50 percent of total cross-border assets" (Komisar, 2005, p. 48). Much of what the public knows about these practices reaches the public eye from occasional, isolated leaks. There are legitimate business reasons for a MNC to set up a shell company, so even though we may know how much money is being held in offshore accounts, no one can definitively say to what extent shell companies are used for nefarious purposes instead of legitimate ones.



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A more involved way MNCs can avoid taxes is a corporate inversion, where the corporation, usually based in the market in which they do the most business, acquires a smaller corporation in a tax haven (or sets up a subsidiary). The corporation then transfers the corporate assets to the smaller subsidiary, reincorporating in the target country and effectively 'emigrating' to that country. The only cost the corporation incurs is some ink in a pen to sign the transfer papers. Jeffers (2014) explains that "the company renounces its U.S. citizenship and moves its domicile to a low-tax nation or a tax haven while still maintaining its material operations in the U.S." (p. 99). By doing this, "little is changing in the core business of these firms. They will just pay less in taxes – and to a foreign government" (Dickinson, 2014, p. 1).

This paper explores the concept of corporate tax avoidance by first examining some actual cases of corporate inversions and related methods, as well as the responses to those actions and attempts to stop additional tax avoidance. Further research will analyze the extent of the problem both within the United States and for other nations. Next, a criminological look is given to the currently legal practices used by MNCs to avoid taxes, analyzing the criminality of these practices. The paper concludes with what could be done to end the practice and prevent corporations from avoiding their fair share of taxes.

History of Corporate Inversions

One of the first widely recognized corporate inversions was that of McDermott, Inc., an American corporation that traded stock with a Panama-based international holding company, McDermott International, in 1982. The stock trade "was motivated by the substantial tax savings the company believed it would achieve by removing its foreign earnings from the reach of the U.S. corporate tax system" (DeAngelis, 2015, pp. 1362-3). Selling stock to the holding company gave it a controlling stake (and therefore the ownership) of the actual corporation, but nothing changed in day-to-day operations. Congress did take some steps to cover the gaps in the Internal Revenue Code and prevent the same type of stock trade from happening again, but this inversion set the precedent for other corporations to take similar actions for the same reason. More loopholes existed, and Congress' attempt to stop inversions did not adequately cover any of them due to exploitable exemptions.

Another early instance of a corporate inversion was that of Helen of Troy, Inc., which "inverted into a Bermuda corporation in 1994 with the desire to be subject to a lower effective tax rate" (DeAngelis, 2015, p. 1363). This transaction was very similar in setup to the McDermott inversion, with one major difference. In this case, Helen of Troy had not had any previous business operations in Bermuda when it inverted, which makes this a "pure" inversion, per DeAngelis (2015, p. 1363). Once again, Congress acted to prevent the same type of stock transfers from happening again, but corporations could continue using other loopholes – or taking advantage of weaknesses and exemptions in the stop-gap attempt to close the same loophole – to accomplish the same goals in slightly different ways.

The public had very little awareness of these practices until around 2000, as grey areas in corporate taxation do not make for a very engaging evening news segment. A report by the U.S. Department of Treasury in May 2002 regarding the negative impacts corporate inversions have on the American economy was one of the first to reach popular attention, and it led to the 2004 American

Jobs Creation Act (AJCA). This law hoped to stop corporate inversions mainly by not recognizing the “emigration” when more than eighty percent of a corporation’s stock is bought by a foreign corporation (DeAngelis, 2015, p. 1364). The AJCA contained exemptions for businesses that had “substantial” activity in the foreign market, but did not define this term. Not defining “substantial” means any corporation that operates partly outside of the United States, or sells their goods to markets outside the United States, could reasonably claim substantial foreign business activity, something that applies to almost any major MNC by simply being a multinational corporation. This loophole allowed corporations to continue easily performing inversions.

Despite attempts to stop corporate inversions, they continue to occur. Pharmaceutical corporations in particular have performed many large inversions in the past decade. In 2013, Actavis, Inc. inverted to Ireland by acquiring the Irish corporation Warner Chilcott, plc, and its corporate tax rate was expected to go “from 28% to approximately 17%” (Hwang, 2015, p. 808). In July 2014, AbbVie acquired the European corporation Shire in the largest inversion deal to that point, worth \$55 billion; the U.S. could miss out on up to \$1.3 billion in tax revenue by 2020 because of the deal (Dickinson, 2014, p. 1). Both inversions represent billions of tax dollars leaving the American government for tax havens, money that instead needs to come from smaller corporations or the tax-paying workers in America to pay for social programs and other public goods.

Extent of the Problem

Last year, the world got a glimpse into the realities of tax havens and offshore companies through the Panama Papers, a massive leak from Mossack Fonseca, one of the law firms that is involved with setting up shell companies in Panama. According to Time’s report on the leak, “Global Financial Integrity recently found that developing and emerging economies lost \$7.8 trillion in cash from 2004 to 2013” due to shell companies like those set up by Mossack Fonseca (Foroohar, Vella, Chan, & Iyengar, 2016, p. 12). Many other law firms in Panama and other offshore destinations are engaged in similar operations, both for legitimate business reasons, as well as tax evasion.

In the United States, the motherland of many of the largest MNCs in the world, the use of offshore havens is a serious problem. Corporations do not have to pay American tax rates on money that is held outside the United States. To save money, they can keep profits offshore and use a network of subsidiaries and shell companies to use those earnings without bringing them back under American jurisdiction. As of 2013, these stashed corporate profits amount to over \$2.1 trillion in untaxed income, with a study by Citizens for Tax Justice (2014) finding that “111 of 288 [Fortune 500] companies paid no federal income taxes in at least one of the five years measured [2008-2012]” (Jeffers, 2014, p. 106). This amounts to billions of tax dollars being kept from the American government through offshore stashes, since American corporations should be paying a 35% tax on corporate income. Tax avoidance is such a widespread issue that “if the U.S. government were able to collect these evaded taxes, they would fully fund every social program currently on the books” (Komisar, 2005, p. 48). Instead, that money needs to come from other sources, like through citizens’ taxes or cutting those social programs.

The problem of corporate tax avoidance is not unique to the United States. For example, Janský and Prats (2015) cite a study by the Government of India (2012) which “indicated that losses in 2011 could have represented as much as 5% of GDP” (p. 274). In Africa, the head of the Organization for Economic Cooperation and Development (OECD) “stated that developing countries could be

losing three times the amount they receive in aid because of tax evasion and avoidance through tax havens" (Janský & Prats, 2015, p. 274). In these places, the use of tax havens and 'profit shifting' can severely hinder economic development due to the loss of millions of dollars in tax revenues, which could have been used by governments to foster growth in those developing nations. Tax evasion is a global problem, and is even more severe in nations with weak institutions that lack the capacity to enforce tax laws as strongly as developed nations.

Criminality of Tax Avoidance

There is much debate over whether corporate inversions and related forms of tax avoidance should be criminalized, or whether they are justified and legal business practices. Jeffers (2014) explains that there is a legal distinction between tax avoidance, which is "the legal utilization of the tax regime to one's own advantage," and tax evasion, which is "the general term used for efforts by individuals, firms, trusts, and other entities to evade taxes by illegal means" (p. 110). Clearly, this distinction is based solely on the legal status of certain business practices, and what is tax evasion versus avoidance can change by amending the tax laws. Jeffers (2014) notes that although tax inversion deals are legal for corporations, similar tax saving strategies would be considered as illegal tax evasion by private citizens. Tax loopholes, Congressional opposition to any measure that would seem anti-business, and lobbying by the same corporations who use the loopholes have all worked together to ensure that these practices remain legal for corporations, despite being illegal for private citizens.

The current legality of these practices does not address their criminality, or whether they should be illegal. To answer this question, an applicable definition of crime is needed. Passas (1999) defines 'transnational crime' as "cross-border misconduct that entails avoidable and unnecessary harm to society, is serious enough to warrant state intervention, and is similar to other kinds of acts criminalized in the countries concerned or by international law" (p. 400). Overseas tax avoidance requires borders to be crossed: it involves multiple nations with different tax codes for corporations to exploit and pay a lower amount than they should. Dickinson (2014) calls these practices "the biggest tax scam ever," and they are responsible for the United States and many other nations losing billions of tax dollars that could be used to improve those nations, which constitutes a substantial harm to society. Furthermore, these same practices would be illegal if performed by a private individual instead of a corporation, a distinction that only exists due to the loopholes in the tax code, which constitutes being similar to already criminalized acts. This form of tax avoidance thus meets Passas' definition of transnational crime.

Plugging the Holes

If corporate inversions and similar forms of tax avoidance constitute transnational crime, as it seems they do, then they ought to be stopped. Politicians, policy-makers, and academics have had many different ideas on how to stop such a widespread phenomenon. The most obvious option would be to make the inversions illegal by closing the loopholes that facilitate them. However, the corporations that benefit from the loopholes have a financial incentive to spend millions of dollars lobbying to keep the tax code as-is, meaning little is likely to be done to close the loopholes in the United States. Politicians on both sides of the aisle cite the high federal statutory tax rate as a cause for inversions (which makes logical sense), but no legislation has been passed to reduce the statutory

rate (DeAngelis, 2014). In 2004, Congress enticed corporations to bring offshore earnings back into America with a “repatriation tax holiday,” when these earnings would be taxed at 5.25% instead of the usual 35 (Dickinson, 2014, p. 5). Furthermore, reducing the American corporate tax rate may not be effective long-term, as “some worry that this would lead to a ‘race to the bottom’ scenario’ where other countries retaliate by lowering their own tax rates, meaning America would need to go lower, until eventually all corporate tax rates are near or at zero (DeAngelis, p. 1374). Therefore, a more robust response is needed that will not result in an international corporate tax arms race.

BEPS Agreement

DeAngelis (2014) has proposed multiple possible methods of ending corporate inversions without causing a race to the bottom. The simplest possible option is to sign onto the Base Erosion and Profit Shifting (BEPS) project proposed by the Organization for Economic Co-operation and Development (OECD) and the Group of Twenty (G20) countries to “update the current international tax system by implementing a multinational instrument” (DeAngelis, 2014, p. 1378). Currently, the United States is not part of this project, but such an agreement would address a large array of issues currently leading major corporations to invert (DeAngelis, 2014). This option would likely be effective due to the multilateral cooperation inherent in the BEPS project, which would not be present if the U.S. unilaterally lowered the corporate tax rate. There are reservations for agreeing to the OECD plan, such as the desire to maintain autonomy over taxation, as well as the fact that the plan will only be effective in nations that also agree to it, meaning some nations outside the project could still act as tax havens (DeAngelis, 2014). Despite these shortcomings, the importance of international cooperation in dealing with a transnational problem like tax evasion makes the OECD plan worth considering.

Patent Box

Another option that the United States could consider is establishing a patent box, as multiple European nations have already done. A patent box is a type of tax regime that offers “a sharply reduced rate of corporate tax applied to income resulting from qualifying intellectual property” (Brown, 2012, Section A). In other words, a corporation can get a lower corporate income tax rate for income that results from some intellectual property the corporation owns, such as a patent for a product or technology. The aim is to “encourage corporations to engage in innovative research and development and commercialization activities” domestically, as they would lose this benefit if the profit were shipped offshore (Brown, 2012, Section B). Belgium, Luxembourg, the Netherlands, and the United Kingdom all have or are developing patent box systems, and studies should be done in the next few years analyzing the benefits of these tax regimes. This would have a similar effect to lowering the corporate tax rate unilaterally, but with the added motivation to innovate and develop intellectual property that could exempt more of the corporation’s income. Patent boxes would be effective in preventing tax avoidance by encouraging patent owners to keep business within the United States, because “patents are highly valuable in the technology and pharmaceutical industries, whose companies comprise the majority of the current corporate inversions” (DeAngelis, 2014, p. 1383).

Corporate Social Responsibility

Another way to respond to corporate inversions is through the concept of corporate social responsibility (CSR), which works outside of the legal system. According to Fisher (2014), "CSR provides a useful framework for evaluating corporate practices that do not necessarily align with the goal of profit maximization" (p. 350-351). The goal of CSR is for corporations to consider some intangible goal other than money, such as the environment, human rights, or social justice. Due to the negative effects of corporate inversions, they have a strong potential to be one of the factors considered. One immediate problem with CSR is it requires voluntary cooperation from corporations, and traditionally lacks any external enforcement mechanisms. However, there is a motivation for corporations to abide by good business standards: the corporation's public reputation. Even if tax avoidance is technically legal, "many companies already are facing intense scrutiny for their tax avoidance practices" (Fisher, 2014, p. 354). If a company's reputation is tarnished enough for engaging in tax avoidance, it could lose enough revenue to make continuing those practices the less beneficial option. This is driven by the popular opinion that ostensibly legal tax avoidance is still a morally shameful business practice, with such big-name brands as Apple, Google, Amazon, and Starbucks now associated with these controversial operations (Fisher, 2014). To protect their reputation, corporations should have the motivation to stay completely clean in their taxation policy, and not pay anything less than their full share of corporate taxes. The effectiveness of CSR then depends on the public paying attention to which brands participate in these activities, and buying from those who do not.

Conclusion

Multinational corporations have found many ways to take advantage of the modern globalized economy for their own gain. Many MNCs have used shell companies and offshore accounts to take advantage of lower corporate rates in other jurisdictions. Some companies have inverted into a foreign subsidiary to completely emigrate from the United States. These business practices cost the American people billions of dollars in tax revenues, as well as other, developing economies. These activities, due to their harmful effects, can be classified as transnational crime according to Passas' (1999) definition. There are multiple unilateral and multilateral ways to combat these practices, each with varying degrees of potential effectiveness. The United States could enact unilateral tax reform, create a patent box system, or sign on to the OECD's BEPS program to combat tax avoidance. Outside of the legal system, tax avoidance could join other causes as part of corporate social responsibility, making clean tax practices a goal of any corporation looking to improve their public image.

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Female Re-entry Programming: An Evaluation of a Massachusetts Minimum Security/Pre-release Facility

By: Sera Torregiano

Introduction

Society's traditional expectations for women has created a fascination about the population of incarcerated females in America. Women are frequently the primary parent in the home, as well as the individual expected to cook, clean, and typically provide partial income. Women who break the law and face reprimand by the criminal justice system have not been studied as thoroughly as men in the system; therefore, the needs of women re-entering society are not as well-understood. Yet, approximately 1.2 million women are now involved with the criminal justice system in some regard ("Incarcerated Women and Girls", 2015). In comparison to other states, Massachusetts has a considerably low female incarceration rate (second only to Rhode Island) with approximately 650 in the jurisdiction. Massachusetts therefore is a noteworthy area to study re-entry methods for females.

While both male and female inmates face similar difficulties in re-entry, women often have more gender-specific problems. For example, many women incarcerated in the US will return to full-time parenting when released. Additionally, women are more likely to have a history of physical/sexual abuse, substance abuse, and mental health issues. Being more susceptible to these issues in combination with the likelihood of returning to a parenting role creates the need for continuous, specialized care (Covington, 2002). To identify key components to successful programs, several areas must be assessed. These areas include but are not limited to: history of physical/sexual abuse, substance abuse, mental illness, and parenting. The current study evaluates the significance of these factors in terms of female re-entry program success.

Literature Review

An often overlooked fact is that most offenders will eventually be released from prison. Approximately 93% of the individuals who become imprisoned will experience being placed back into society (Grommon, Rydberg & Bynum, 2012). Unfortunately, a common misconception of prisons is that criminals go there to be punished, when prison *itself* is the punishment. To create productive members of society while also reducing recidivism, prisons across the US must identify problems faced by offenders upon release and incorporate coping skills into their re-entry programs. Women face a unique set of difficulties on their road to re-entry, and require specialized care to address these issues.

Re-Entry Concerns

Prior research in re-entry has identified several issues that both men and women face upon release. Due to strong correlations between recidivism and housing, employment, family reunification, social support, and substance abuse, most states have created programs that incorporate education on these issues (Grommon et al., 2012). These areas of difficulty create a cycle which may lead to re-offending.

The buildup of these stressors creates a significant feeling of societal rejection. Many offenders then use drugs and alcohol to cope. Abusing substances creates additional problems within the workplace, leaving stable employment to be nearly impossible. During this period of vulnerability, social support tends to decline. Due to an accumulation of stress and lack of resources, individuals in this scenario often recidivate back into the criminal justice system.

Female-Specific Issues

While men and women share many common concerns at the time of their release, women have unique circumstances that differentiate their re-entry needs from those of men's. The reasons for women's involvement in criminal activity is also the result of distinctive occurrences; in many cases, women wind up in the criminal justice system due to poverty, abuse, and substance addiction (Berman, 2005). For re-entry programs to see success, it is imperative to teach women adequate coping mechanisms.

History of physical/sexual abuse. In a prison setting, it is crucial to remember that criminality does not exclude women from being victims themselves. In fact, women in prison are seven times more likely to have a history of sexual abuse and four times more likely to have suffered physical abuse in comparison to incarcerated men (Center on Addiction and Substance Abuse, 2010). For abused women to heal and move forward from their past experiences, re-entry programs must incorporate coping skills. Classes that focus on building healthy relationships with friends, family, and intimate partners are a great way to teach identification of early warning signs of abuse.

Substance abuse. Several studies have found incarcerated women to have high rates of substance abuse histories. Numbers as high as 98% have been recorded (Greenfeld & Snell, 1999). Women have lower levels of the enzyme that metabolizes alcohol, making the effects more severe (Lieber, 1993). It takes significantly less alcohol to have devastating effects on females as opposed to

males. Physical differences between men and women must be kept in mind when considering the impact of alcoholism.

Illegal drugs are also a cause of concern for women in prison. The Arrestee Drug Abuse Monitoring (ADAM) 2000 Annual Report documented 63% of females testing positive for at least one illegal substance, compared to 64% of males. However, females were more likely to test positive for cocaine, while males mostly tested positive for marijuana. This difference suggests that females are more likely to be incarcerated while addicted to an extremely damaging drug. Approximately 42% of females are at risk for drug dependence, as opposed to 37% of men (Taylor, Newton, & Brownstein, 2003). The concerning susceptibility proposes that females require extensive training in relapse prevention. Avoidance of drug use should be thoroughly discussed to decrease relapse rates caused by post-release triggers.

Mental illness. Women have notably higher rates of mental illness as compared to men. Depression and anxiety are common mental health problems experienced by female offenders (Sacks, 2004; Staton, Leukefeld, & Webster, 2003). Additionally, women are at a significantly higher risk for experiencing co-occurring substance abuse and mental illness than men (41% compared to 23%). To reduce recidivism, re-entry programs should incorporate relapse prevention along with coping mechanisms for mental health issues. Women should be able to identify ways to get assistance with their mental health through nearby professionals, such as psychologists and psychiatrists. With mental illness being so prevalent, it is essential to include assessment and monitoring of mental states.

Parenting. Approximately 70% of women in prison have at least one child under the age of 18 (Greenfeld & Snell, 1999). Mothers are most commonly the primary caretakers, making imprisonment a very disruptive situation in the lives of their children. Separation between mother and child caused by incarceration places a significant strain on the relationship. Time away from one's child weakens the bonds that are fundamental to early development. If the child is able to live with the mother after her release, she must be prepared to take on the role of full-time parenting once again. Responsibility for not only oneself but also for the child is essential to remain in legal custody. While these values and skills do not always come naturally, women require extensive education in parenting.

Creating Effective Programs

Relational theory. According to Bylington (1997), women grow personally through building relationships with others. This theory suggests that dysfunctions in relationships are the foundation of mental health problems. When relationships deteriorate due to abuse or neglect, women suffer psychologically; emotional growth is stunted. Miller (1986) identifies three aspects of relationships that assist with positive connections in relationships: mutuality, empathy, and empowerment. These three components then create five psychological results: zest and vitality, empowerment to act, knowledge of self and others, self-worth, and a desire for more connection (Miller, 1986). If a relationship is disconnected, opposite outcomes will occur. Therefore, to encourage growth in women, relationships should be a primary focus (Covington, 2007).

Female-centered approach. To address female-specific issues that incarcerated women face, re-entry programs must keep the concept of gender in mind. In addition, several other aspects of female life should be considered. Bloom, Owen, and Covington (2003) identify six key areas for the criminal justice system to focus on regarding female programming. These areas stress the importance of gender, environment, relationships, services, socioeconomic status, and community (Bloom et al., 2003). A focus on women's environment and community addresses individual circumstances, which in turn leads to greater self-awareness, and productive means of bettering oneself. Combining concepts of gender and relationships creates a personalized perspective for women. By taking this approach, re-entry programs for women become individualized and gender-specific (Covington, 2007).

Ideally, female prisons will incorporate these concepts into everyday programs to accomplish a lower recidivism rate. The current study seeks to evaluate the use and success of relational theory and the female-centered approach in re-entry programs at a women's prison in Massachusetts.

Research Setting

South Middlesex Correctional Center (SMCC) is located across from a quiet horse farm in Framingham, Massachusetts. According to the Commonwealth of Massachusetts, SMCC's mission has "always been one that seeks to protect the public from criminal offenders, while providing inmates with rehabilitative opportunities that will aid in their return to society" ("South Middlesex Correctional Center", 2017). The prison was founded in 1976 as a minimum security and pre-release facility. In 2002, the prison population became female-only. SMCC can accommodate 200 women, but is not currently at full capacity with approximately 120 inmates.

Currently, SMCC is understaffed in several areas. The prison operates under the supervision of Deputy Superintendent Lynn Lizotte, in addition to: Inner Perimeter Security, several Correctional Officers, a Records Supervisor, Re-Entry Supervisor, Employment Service Coordinator, Health Services Unit, and Mental Health Unit. These staff members rotate daily as Shift Commander for the prison. Additionally, staff members take on many roles aside from their official titles to compensate for the lack of current employees.

Research Methodology

The current research is heavily based on the observation of a women's prison. Observations were conducted in several areas such as the re-entry, work release, and records offices. Information was also collected at a limited number of parole board, programming, and disciplinary meetings. In addition to observation, a semi-structured in-depth interview with the Re-Entry Supervisor was conducted. The Re-Entry Supervisor at SMCC is responsible for solidifying post-release plans for each inmate that comes to the facility. For example, each woman is typically in need of housing plans, programming, healthcare, licensing, and social security before leaving the prison. Lastly, case file analysis was used to identify patterns and reoccurrences regarding characteristics of the inmates (Tewksbury, 2009). Documents such as police reports, board of probation records, work release agreements, and disciplinary reports were assessed during the internship.

Findings

Re-Entry Concerns

Housing. Housing is the most common re-entry concern among the women at SMCC. Many women are unable to return to their previous living situations (typically with friends or family members) due to broken relationships. Several friends that the women had prior to being incarcerated pose a threat to staying sober and away from criminal behaviors. Women are therefore forced to apply to overcrowded sober living homes, halfway houses, and shelters. These types of housing are difficult to get into as they are serving a broad population of women. Waitlists are extensive and most places do not reserve beds for very long, if at all. The Re-Entry Supervisor at SMCC, Jennifer Robie, makes countless calls each day to place women at the facility appropriately prior to their release. However, with SMCC being a minimum security and pre-release prison, the women have only short portions of their sentences remaining. Evidently, the process of finding homes for each inmate quickly becomes overwhelming.

Sobriety. As represented by prior research, a great deal of women at SMCC have a substance abuse history. While some women are determined to remain sober post-release, they are aware that once placed back into society, many triggers may lead them into relapse. As mentioned by Jennifer Robie, the period just after an inmate's release is a time of vulnerability when women must be especially careful and aware of their situation. Substance abuse is typically a substantial factor in women's criminality; once addicted, they become fixated on feeding their cravings and will do almost anything to get what they need to satisfy them. Programming at SMCC addresses many aspects of substance abuse and helps to prepare women to face these triggers.

Employment. Criminal Offender Record Information (CORI) is the primary concern among inmates who are applying to jobs. Due to CORI checks, inmates often have a difficult time finding a stable job after leaving prison. To assist inmates in this process, the work release office places eligible pre-release women into local job positions. Most of these positions are held in restaurants and fast food businesses. Occasionally, there are issues with the women getting into verbal altercations, leaving the worksite, or bringing prohibited items back to the prison. These situations are addressed through disciplinary reports and by removing women from their jobs for a designated amount of time, depending on the violation. By engaging in the work release program, women can accumulate funds and add to their resumes.

Female-Centered Programming

SMCC uses Pathway Programming to create weekly schedules for inmates. "Pathways" includes an initial assessment, conducted as soon as possible after the inmate arrives, to identify specific areas of need. Classes such as Motivational Enhancement are assigned to all inmates. Many inmates participate in Healthy Relationships and Parenting. Inmates receive a personalized schedule of classes that suit their individual needs for a certain number of weeks. Every few months, women are offered the opportunity to sit in front of a panel to discuss what they have learned in class. If an inmate passes the assessment, she may reduce the number of classes she participates in. If an inmate does not pass, she must continue attending all classes and may return to the panel again in the future.

Pathways is a gender-specific programming system, making it ideal for the population of incarcerated females.

Distinction

SMCC houses both state and county inmates due to a lack of available facilities for women in Massachusetts, accounting for both minimum security and pre-release inmates. Aside from when freeze counts are conducted, it is not unusual to see inmates talking with supervisors in a variety of offices or training dogs in the halls as part of America's Vet Dog Program. The prison is also distinct in terms of its re-entry approaches. As stated by Jennifer Robie, Re-Entry Supervisor at SMCC, the prison is "very unique". To address a variety of re-entry concerns, SMCC uses gender-specific programming, Pathways, to ensure the women are receiving the most beneficial education while serving their time.

Improvements

Recidivism. According to the South Middlesex Correctional Center Statistical Briefing for the July 2016 to September 2016 period, 49 inmates were released during that time. Of these inmates, 14 (29%) were identified as being at-risk for homelessness. Twenty-one (43%) were released without supervision. While these statistics do not guarantee recidivism, being at-risk for homelessness and facing release without any supervision does place women at a higher risk for engaging in criminal activity. Due to the overcrowding circumstances surrounding group living facilities, ensuring housing for every inmate is a nearly impossible mission. While the task is already extremely demanding, lack of staff at the facility creates additional challenges.

Staffing. SMCC is currently understaffed in many areas. This deficiency places additional pressure on employees as they are required to go far beyond their designated job title. For example, many staff members at SMCC also fill in as Shift Commander or transport inmates to work and appointments on certain days. Staff members are also expected to complete their typical daily duties on top of these extra responsibilities. Understandably, these surplus tasks can be overwhelming. While the staff is generally willing and responsive to the current needs of the facility, it would alleviate a great deal of stress to have more staff on hand at the prison.

Discussion

Based on the findings of this three-month internship, re-entry concerns and programming needs for females at the South Middlesex Correctional Center are generally parallel to what established research suggests. Many women at the facility come in with a prior history of physical/sexual abuse, substance abuse, and mental illness. In addition, a great deal of the women are mothers who will need to rekindle relationships with their children upon release. The women's main concerns for re-entering society also align with common issues that lead to criminality. These concerns include difficulty finding housing, getting a stable job, and remaining sober. SMCC's approach to programming using Pathways exemplifies the women's need for gender-specific treatment. Gender-specific classes, such as Parenting and Healthy Relationships, assist women in acquiring skills that increase the likelihood of success.

SMCC's largest area of improvement is centered on the need for more staff. With additional employment, the facility will become better able to address personal needs of each inmate. Therefore, in theory, the number of women at-risk for homelessness and facing release without any supervision would decline. Overall the prison is a great example of a female facility aiming to meet the re-entry needs of women as outlined by prominent research. Future research in female re-entry programming may focus on women's perceptions of gender-specific programs and how they employ relevant concepts in post-release life.

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Interview with Professor Corey Dolgon

By: Jennifer Mayette

How did you get involved in the field of sociology?

Alright, so I'm going to answer these questions honestly. I had taken courses in sociology, most of my favorite faculty were sociologists, and I thought that, as I was developing a kind of Marxist framework for understanding the world around me, sociology made the most sense, although I had taken a number of philosophy classes, literature classes, and history classes. By the time I had gotten to graduate school, interdisciplinary fields made the most sense to me, so my masters and my doctorate are in American Studies. I also realized once I left that I needed to get a job, and there actually were very few jobs in these interdisciplinary fields at the time—many more jobs in sociology. Of all the fields, that was the one that I was probably most focused on. I had stopped focusing on literature and philosophy, and while I liked history a lot, the field of history seemed really tedious to me. Sociology also lent itself more to activism and politics. So that's how I ended up kind of looking for jobs in sociology and becoming a sociologist, which I think one actually then becomes by doing it. So I just started going to all of the sociology conferences I could, and publishing my work in sociology journals. At some point, I became a sociologist.

Were there any other events earlier in your life that steered you towards first taking those sociology classes?

Yeah, my parents were activists. And politics played a very big role in our everyday life, so my parents were pretty active. My dad was active in civil rights work and anti-war stuff in the 1960s, and my mom was really involved in local stuff like the PTA. It was an increasingly diverse neighborhood that we lived in, and it was very clear that that was embraced by my parents, and they were very upset when certain things might happen in the neighborhood, because during those days when real estate agents would essentially mark off blocks that would be open for people of color. The practice was called



Corey Dolgon is a Professor of Sociology and is the current Faculty Director for the Downtown Center for Community Engagement. Corey has published multiple books, his most recent being *Kill it to Save it: An Autopsy of Capitalism's Triumph over Democracy*. Corey was also the first director of the Office of Community Based Learning (CBL). He has developed a connection with his students that has endeared him to many, and Stonehill is extremely fortunate to have him as a Professor here. In this interview, Corey discusses his entrance into the field of sociology, and offers a critical reflection on service, his time here at Stonehill, and research. The passion and personality that he brings to the classroom is on display in this interview as well, and we thank him for it.

"block-busting" and "red-lining," and so what would happen is our neighborhood in Long Island had clearly been designated one that real estate agents would start bringing people of color in— primarily African-Americans and Latinos— and as that happened, there were people on the block who didn't want that to happen. So we would hear about so-and-so visiting people who were selling their house and saying "you can't sell to this particular family." My parents would hear about that and they would get very upset, so they would start to talk to other neighbors, and there was a constant kind of struggle. Those issues end up getting determined primarily by economics at a certain point, but white flight clearly played a role in my growing up, because I saw our neighborhoods change very quickly. Those kinds of things were always happening in and around the house, and my parents had a pretty integrated group of friends and neighbors eventually. We were always thinking and acting on issues of politics and race. In high school we had all of these electives that we could choose from, and one of the was on revolutions and another was on Marxism. I had read some of my dad's stuff, my dad had a pretty big library, and I was really taken by both the politics but also the music. We had lots of Woody Guthrie records and Pete Seeger records. Politics was really a part of my life growing up.

Which sociologists would you say have influenced your thinking the most?

Well, I mentioned Marx, and I've read things about Marx as well as read Marx's work. Though so much of Marx is also Engels, and Engels gets lost in the mix, and some of the stuff that Engels wrote, especially about the working class in Manchester and other books, really is some of the best works in sociology—sort of classical works. And I'm really learning more and more now about W.E.B. DuBois. I'm finding him to be really interesting because I think the way I learned about sociology, and the way so many people learned about sociology in this country in particular, we learn the "Marx, Weber, Durkheim Triad," and then you start to branch off. And so when you get to DuBois, if you get to DuBois, you start to think "Oh, DuBois really got a lot from Weber and a lot from the Chicago School," when actually, what you lose is the fact that DuBois certainly got a lot from Weber, but DuBois was actually working pre- or at the same time as the Chicago School, and actually they were taking more of his stuff than he was taking their stuff. If you read *The Souls of Black Folks* and you think about "double consciousness," and you say "That's a lot like the symbolic interactionism," well DuBois was actually writing that around the same time or before. When you start to place DuBois in the right space, you start to realize that, in so many ways, he was formative of American sociology, but never really got that due, and you wonder what would have happened had American sociology not looked at the Chicago School for its sense of origin, but actually looked at the work of DuBois. So Marx was my first big influence. Coming back to teaching social theories, I'm thinking a lot about social theory, but most of my really influential folks in sociology were a lot more activists than they were theorists.

Could you talk about your time as the first director for the Office of Community-Based Learning?

Yeah, seven years. It was a great beginning. We had a pretty big grant to start the office with, and so we had a really big budget, and we started a number of things that I think were pretty innovative. I'm sure I stole them from somewhere, but in going around the country doing workshops

and presentations people often talk about how they would like to start something like that. We started a summer institute where we were not only teaching faculty about community-based learning, but we actually brought faculty, students, and community partners together to form teams and create the courses together. People found that to be really innovative, and so some people have copied that. But we had a community-based scholar position, and we actually hired Lee Farrow as our first community-based scholar. She was given a stipend to really be a liaison to the family center in particular, ended up developing a course, and is now the director of nonprofit management. We now have the Downtown Center for Community Engagement, which I think was an impetus of CBL Office and my proposal. We went from 15 to almost 60 classes this semester that were CBL classes.

We had some really engaged faculty in creating really great partnerships, but we were always fighting against some conventions. One great course a couple of former professors created was a learning community with the Cape Verdean Association; it was on public art. One taught a history class on Cape Verdean history and immigration, the other taught a class on public art, and then the learning community class was coming together with youth at the Cape Verdean Association to do public art projects. One year they did an exhibit based on oral history interviews. I thought it was a great example of community-based learning at its best, because they had worked for a whole year before they did the class to work with the Cape Verdean Association, create relationships, present the course to the board, work on what the impact of the class would have on the organization and then the community, really building this partnership that transgressed this sense of reciprocity. They made the project really integrative in a way that everybody was not only getting something out of it, but we really had a goal for community development, building the community's sense of history and pride, as well as what students got out of that.

Sure enough, the History Department was reluctant to have her teach the course on the third year, and the commitment just did not seem to be there. Now, this has happened in many places, and it is not just any one particular department, but the criteria of what faculty can do and the economics of having full-time faculty teaching certain courses when they need to teach other courses creates situations where we couldn't offer the course again. We hate to do that; students don't get the opportunity to do that. It's a loss for them, but it's also a loss for the community, and really it's a loss for the partnership. What it means for the community to look at Stonehill's partnership and say "They can't commit to these things because they don't follow through." What happened over the last couple of years I just realized was that we were in an economic situation where the budget crisis had reached a point that people were very concerned, and I think they made some really poor choices. I'm biased, but one of them was that the CBL budget was cut by 70%, and I could no longer do a lot of the work that we had committed to doing. The idea of CBL is not just student learning outcomes, though it is great that students get the opportunity to do this work, but the work is based in the community. If we cannot follow through on the partnership and the commitments we are making to building up the community as well as the students on the campus, then we cannot do it. That means we should not make these commitments if we cannot follow through. It got to be a little bit too hard for me in the community to keep saying "Stonehill believes in this" and "Stonehill believes in that" when I think we were making choices that suggested otherwise. So it was a great first four or five years doing that work, and I thought we built a lot. We're still doing great stuff; I just don't think institutionally I have that same confidence in our direction when it comes to what John Denning calls "solidarity" with the community.

What type of community work have you done outside of Stonehill?

I'm going to bracket off all of the CBL work, and all of the work I've done in Brockton which, to me, is part of my work at Stonehill. So, we have one program for adult education and we work with the family center to develop the parent leadership conference and their parent magazine, and all of these things involve students and a couple of faculty in the very founding of these projects and programs. However, I'm going to bracket all of that stuff off, because that I've always seen as part of my job at CBL and now even on the faculty.

To me, I think the political work that I do and that I want to do is also work that I do now through publishing. But also thinking about how we can create more of a radical consciousness in many different places throughout society. One of the goals of the downtown center for instance—and something that I do not just here in Brockton and through Stonehill, but through a number of different organizations—is: how do you build a radical consciousness within organizations that are progressive in nature, or progressive in mission/goals, but because of a lack of a radical consciousness or framework actually don't create the kind of changes they'd like to see in the world? Nonprofits are famous for this, especially nonprofits that provide services. What are the root causes of the problems that they provide services for, and do they ever do anything about the root causes? That is kind of the framework I tried to bring to CBL, and to the work that we would do in the community, which was: let's have students work with nonprofits, but let's have students ask questions about if these nonprofits really get at the root causes. Then part of my role and other faculty ought to be to work with the nonprofits to raise these questions so that students don't have to go and say "you know you're doing a crappy job of really making change." The fact of the matter is that many nonprofits realize the handicaps that they have. A lot of them are funding based, and in order to keep providing the services that people need, they're not supposed to be too political, or they get afraid of getting too political.

What I have found is that is not only true in the nonprofit world, but it's also true in the educational world. One of the things I've been working a lot on lately is trying to get people who are in the field of civic engagement or service learning to think much more politically about the work that they do, because if their students aren't thinking about the root causes and who controls the power, then what do they really take away from these? Are we just training—and this is what the research suggests, actually, that students who do service learning and civic engagement in college are more engaged in their communities after they graduate, but they're not more politically engaged. And so they tend to actually do more things in the community, but they don't do political things. They don't organize politically, they don't organize electorally, they don't look for sources of power and think about how to change the root causes. They tend to participate in more kinds of service and organizations. And again, there's nothing wrong with service, except when service becomes the goal.

One of my favorite moments in sociology is when I used to teach a book called *Sweet Charity*, which was a book on food security and food banks in which the author told a story of the couple who were working at the food bank and they had helped someone to the car with some groceries. Coming back, she asked, "How do you feel about the work you do?" and the couple said, "Oh, this is such important work. People have big needs and the food pantry is able to help them with these needs, and I just hope that when my children grow up they are able to do work like this so they can help

people.” I’m thinking: shouldn’t they hope that this problem doesn’t exist? Shouldn’t they hope that we are actually able to make changes in the world so that we don’t have this problem? I started to realize that sometimes the problem with service is that it becomes an end in and of itself, and the idea is that as long as we can provide these services, then we are doing the best that we can. I think that is both a political and, I would argue, an ethical lapse. For example, I love when students go to work for My Brother’s Keeper, and they do a tremendous service for the community. But it’s a problem if they come back and all they talk about is how good they felt about doing that service, and not come back with a sense that: My Brother’s Keeper is doing a really important job, but who is doing the work of changing the social structure and the resource distribution in our society so we don’t have to do this kind of service anymore?

What would you say are your research interests?

My research interests change a lot. *Kill it to Save it* was a pretty important book for me; hopefully it will be for other people, we’ll see. I spent a long time looking at this political culture/ideology question of why we seem to be changing as a society in our focus on the public, and that we are electing people and creating policies that not only don’t support the public sector and institutions like public education, but in fact are destroying them. We think they’re reforming them, we believe that they’re actually improving education, so charter schools and private charter schools are “better” than public schools, even though they’re not. We keep changing policies to support more and more of them, even though the evidence is completely counter to that. Why do we do that? We believe it’s better, even though we don’t have evidence. Of course we may be “post-fact” so we don’t need evidence anymore, we just say shit. But my next book I think is going to be called *Fascism: American Style*. I’ll be looking at the ways in which fascism has always been present in American history and culture, not necessarily the ways in which we might think of fascism coming out of Italy and Germany in the ‘30s and ‘40s. Nonetheless, a kind of going back to the Federalist Papers, and certainly it is hard to talk about genocide and slavery without suggesting there are some elements of fascism, and then Andrew Jackson and the things of that sort. I want to chronicle it up to the present, and obviously the idea of Donald Trump as our president with the tendencies that he has. So much of what’s happening right now seems to echo the fundamental definition of fascism, everything from discrediting the media, trying to manipulate our whole way of understanding the truth, trying to delegitimize our court system, trying in essence to delegitimize democracy itself. On the one hand it’s rigged, and then on the other hand, maybe it was rigged, whether it’s Russian influence in our elections, or it’s claims of voting fraud that just didn’t exist. The whole thing just delegitimizes every position we might have based on research, evidence, facts, and democracy, and turn everything into a power play: What can you sell? What can you convince people of? And what power do you grab because of it?

Have you done any research with students here at Stonehill?

Yeah, I did a few SURE projects back in the day. One was looking at local history and politics around economic development. I worked with another student on school-prison pipeline issues. I worked with another student on problem-based courts, especially the drug court in Brockton. I’m

also teaching Qualitative Research right now, so I'm constantly doing research with students to one degree or another. I do find there's an interesting dichotomy that's going on: there's more and more emphasis on doing research with students, but it's becoming so formulaic because there really isn't much to be said for failure. There isn't much to be said for not getting the final product done so that it can be put on a poster and maybe delivered at a conference and it becomes a nice little package at the end. Research is becoming this process by which we produce a little product. That's not how research really works. I have a product, but this book took me five years, and there is a lot of stuff that is not in here because it was crappy. And you have to produce a lot of crap to come up with some really good shit.

There aren't enough publications that will publish people who are doing validity studies or reliability studies. So, where are the people who are doing the studies over the people who publish the work to make sure that this is actually valid and that it really works? My favorite one is the two economists who did the big economic study that "proved" that austerity was necessary in contemporary economics and contemporary capitalism to bring countries from the brink of disaster back after the crisis in 2008. It "proved" that countries had to go into austerity: reduce taxes to create more economic vibrancy, and cut spending because you're getting into debt. That's been an article that's really been crucial for the constant arguments for austerity. It turns out the article was wrong, it made mistakes, and it wasn't until a graduate student at UMass, where for their radical economy department one of their assignments for graduate students is that they have to pick a famous study and redo it, and understand how they did their study. This one person did it and he found out they forgot some of the countries and some of the regressions that they were running, and they said one thing here, but they did something else there. And he realized that, in fact, they should never have been able to publish the study in the way that they did that then people bought into it. Austerity is a ridiculous way to address the economic crisis that we are in now, but the idea is that we no longer really validate the process of knowledge production, which requires much more failure than it does success.

What other classes do you teach at Stonehill?

Right now, I'm teaching Introduction to Sociology and Sociological Theories. I've taught Globalization, Urban Sociology, and Community Organizing.

What is your favorite course to teach and why?

I'm going to pick two if that's okay. I really loved teaching Community Organizing, that is kind of where my identity is. I also really love teaching Intro. I'm really liking teaching Theory; I haven't taught it in 15-20 years. I'm really liking it, so it might be something I tell Chris Wetzel he can't teach anymore. I really like teaching theory, but I've always loved teaching Intro. I just feel there's so many things I can use, so many materials I can use, so many directions I can go in. I try to change the books around, but also every year you get students who don't know it, so they're often blown away.

What has impressed you the most about Stonchill?

I *want* to say you guys. Some of you really have. I think there are some really great students here, and that's really impressive. I think I'm impressed by the faculty here; it's rare that you get a teaching-intensive college with as many faculty members that are actually doing really good research as well, and I do think that there's a commitment to students here that's really legitimate and really heartfelt. It is also built into the structure in some degree.

What advice do you have for students who are interested in sociology?

Base your efforts on the "so what?" question. Everything you learn as an undergraduate, if you have a sociological imagination, ought to lead you to ask the question: so what? Why is this important? What does this mean? What is the purpose of doing this work? Even a theory class ought to be able to suggest to students that these ideas give you tools to analyze and deconstruct the world around you in a way that then allows you to think about how you can change things.